

Judge Bryan

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

V.

MARTIN OSEGUERA-CHAVEZ, et. al.,

Defendants.

NO. CR09-05452RJB

PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulated Motion for Protective Order, and the Court, having considered the entirety of the record and being fully advised in this matter, hereby enters the following **PROTECTIVE ORDER**:

1. Permissible Disclosure of Protected Material.

The following documents and materials are deemed Protected Material. The United States will make available copies of the Protected Materials to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Material is limited to the attorneys of record, and investigators, paralegals, assistants, law clerks, and experts for the attorneys of record (hereinafter collectively referred to as "members of the defense team"):

a. Information from the DEA and ICE CI files for CI-1, CI-2, and CI-3.

The attorneys of record, and members of the defense team acknowledge that providing copies of the Protected Material to other persons, including the defendants themselves, is prohibited, and agree not to duplicate or provide copies of the Protected Material to other persons. Further, the attorneys of record are required, prior to

1 disseminating any copies of the Protected Material to members of the defense team, to
2 provide a copy of this Protective Order to members of the defense team, and obtain written
3 consent by members of the defense team of their acknowledgment to be bound by the
4 terms and conditions of this Protective Order. The written consent need not be disclosed
5 or produced to the United States unless requested by the Assistant United States Attorney
6 and ordered by the Court.

7 This order does not limit employees of the United States Attorney's Office for the
8 Western District of Washington from disclosing the Protected Material to members of the
9 United States Attorney's Office, federal law enforcement agencies, and to the Court and
10 defense as necessary to comply with the government's discovery obligations.

11 2. Filing

12 Any Protected Material that is filed with the court in connection with pre-trial
13 motions, trial, or other matter before this Court, shall be filed under seal and shall remain
14 sealed until otherwise ordered by this Court.

15 3. Nontermination

16 The provisions of this Order shall not terminate at the conclusion of this
17 prosecution. Furthermore, at the close of this case, the defense team shall return all
18 documents and copies of those documents to the office of the United States Attorney.

19 4. Violation of Any Terms of this Order

20 Any person who wilfully violates this order may be held in contempt of court and
21 may be subject to monetary or other sanctions as deemed appropriate by this Court.

22 The Clerk of the Court is directed to provide a filed copy of this Protective Order to
23 all counsel of record.

24 DATED this 29th day of January, 2010.

25
26 
27 Robert J Bryan
28 United States District Judge